

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CLARENCE PARKER,	:	
	:	
Petitioner,	:	Case No. 3:09cv266
	:	Case No. 3:04cr140(7)
vs.	:	
	:	District Judge Thomas M. Rose
UNITED STATES OF AMERICA,	:	Magistrate Judge Sharon L. Ovington
	:	
Respondent.	:	

DECISION AND ENTRY

The Court has conducted a *de novo* review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #764), to whom this case originally was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections has expired, hereby **ADOPTS** said Report and Recommendations.

IT THEREFORE IS **ORDERED** THAT:

1. The Report and Recommendations filed on May 9, 2011 (Case No. 3:04cr140, Doc. #764) are ADOPTED in full;
2. Petitioner Clarence Parker's motion to vacate, set aside or correct sentence (Case No. 3:04cr140, Doc. #728) is DENIED and DISMISSED with prejudice;

3. No certificate of appealability shall issue, and leave to appeal *in forma pauperis* is DENIED; and
4. This matter is TERMINATED on the docket of this Court.

May 31, 2011

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge